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THE FACEBOOK, INC. and MARK ZUCKERBERG

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE FACEBOOK, INC. and MARK ZUCKERBERG, Plaintiffs, v. CONNECTU, INC. (formerly known as CONNECTU, LLC), PACIFIC NORTHWEST SOFTWARE, INC., WINSTON WILLIAMS, and WAYNE CHANG, Defendants.	Case No. 5:07-CV-01389-JW **FACEBOOK, INC. AND MARK ZUCKERBERG'S OBJECTION TO CONNECTU, INC.'S PROPOSED FORM OF RELEASE**

Dockets.Justia.com

Facebook, Inc. and Mark Zuckerberg ("Plaintiffs") respectfully submit the following objection to ConnectU Inc.'s Proposed Form of Release (Docket No. 478) submitted in response to the Judgment Enforcing Settlement Agreement ("Judgment") entered by the Court on July 2, 2008 (Docket No. 476).

Plaintiffs object to ConnectU's assertion that the "[r]elease of [c]laims shall be effective five (5) court days after the judgment entered on July 2, 2008, in *Facebook, Inc. and Mark Zuckerberg v. ConnectU, Inc., et al.*, Case No. 5:07-cv-01389-JW, in the United States District Court for the Northern District of California, becomes final and non-appealable." ConnectU seeks to impose a unilateral time limitation that the Court itself did not impose during the July 2, hearing or in its Judgment Enforcing the Settlement Agreement. ConnectU's proposed release, if adopted, would not be in compliance with the Court's Judgment or the Term Sheet and Settlement Agreement which the Judgment specifically enforces. As noted during the July 2, 2008 hearing, Facebook intends that the release should be effective upon order of the Court, as explicitly set forth in the Judgment.

Dated: July 11, 2008.

Respectfully submitted,

/s/ Yvonne P. Greer /s/

Yvonne P. Greer
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on July 11, 2008.

Dated: July 11, 2008

Respectfully submitted,

/s/ Yvonne P. Greer /s/

Yvonne P. Greer